

TRANSPORTATION BENEFIT PROGRAM
OPERATING PLAN
NOAA EMPLOYEES AND NOAA CORPS OFFICERS USING MASS
TRANSPORTATION

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SECTION 1. INTRODUCTION

The Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), Office of the Office of the Chief Administrative Officer (CAO) implemented the Employee Transportation Benefit Program to encourage its employees and NOAA Corps Officers (officers) to use mass transportation for means of commuting to and from work. This program applies to all NOAA Line/Staff offices. Through increased use of mass transportation, employees and officers contribute to the reduction of petroleum-product consumption and traffic congestion, as well as improved air quality. NOAA entered into the agreement with the Department of Transportation (DOT) to administer the program. This operating plan relates to administration of the program.

NOAA has approximately +3000 employees initially participating in the Transportation Benefit Program. Assuming this level of participation, the projected annual cost should not exceed \$3,361,280. This is predicated upon a maximum benefit of \$245 per person per month. Through the above-referenced agreement with the DOT, employees will be issued Smart Benefits funds automatically on smart cards or another term of Vouchers depending on where they are located and debit cards which are loaded on the 10th of each month and removed on the 9th of each month. They can be used directly to mass transit services or can be converted to alternate fare to use other means of public transportation. The SmartTrip Card is only used in the Washington Metropolitan Area for now, and can be used for Metro Bus and Metro Rail only.

SECTION 2. RULES AND RESPONSIBILITIES

A. DOT will provide as necessary for the Washington Metropolitan Areas:

1. personnel;
2. computer equipment;
3. data base entry and management;
4. reports;
5. intermediary with the Washington Metropolitan Area Transit Authority;
6. transportation of disbursing agents and transit fare media;
7. disbursing operations for quarterly distribution periods;
8. summary and billing reports, and
9. employee access to alternate off-site distribution facilities.

DOT will provide as necessary for the Field Offices:

1. Fed-Exing operations to field Point of Contacts for quarterly distribution periods unless they are using Debit card, and
2. personnel when needed.

B. The Line/Staff Offices in the Washington Metropolitan area are provided with the following alternatives for media fare distribution:

1. For employees in the HCHB and in the Silver Spring area, specific locations for disbursement are determined. (NO LONGER DONE)
2. For Metropolitan area employees at other locations, DOT customized a strategy for dispensing the fare media. This may include drop off or mail (Fed Ex) of fare media.
3. The CAO will also provide, as necessary, the following:
 - a. Security escort for disbursing agents and fare media to and from DOT's vehicle,
 - b. security escort during disbursement hours (if required),
 - c. a designated point of contact to act as liaison with DOT, and
 - d. a list of Line/Staff office points of contact.
4. The CAO will work under the existing contracting with DOT for distribution of Fare media for NOAA Line/Staff offices located at the HCHB.

C. Participating Line/Staff offices will provide the following:

1. a designated transit point of contact
2. assurances that program participation are limited to eligible NOAA civil service employees, military and the NOAA Corps.

SECTION 3. BACKGROUND AND AUTHORITIES

- a. Title 5, section 7905 (Pub. L .No. 103-172) authorizes Federal agencies to establish programs to encourage employees to use means other than single-occupancy vehicles to commute to and from work. This may include employer-subsidized transit passes for mass transportation or non-monetary benefits, such as storage lockers and shower facilities for bicyclists.
- b. Federal agency participation in a fare subsidy program under this statute is voluntary. The statute does not prescribe any monetary limit on agency subsidies. The Internal Revenue Code allows qualified transportation fringe benefits (such as fare media subsidies), on a tax-free basis, for employees who commute by mass transportation or a commuter highway vehicle.
- c. The maximum current tax-free amount is \$245 per month.
- d. Currently, the following laws apply to fare subsidy programs:
 - a. Public Law 103-172, Federal Clean Air Incentives Act, Title 5 U.S.C. Section 7905;
 - b. Public Law 102-486, Energy Policy Act Title 26 U.S.C. Section 132; and
 - c. Public Law 105-178, Transportation Equity Act Title 5 U.S.C. 7905(b)

SECTION 4. DEFINITIONS

- a. “Employee” means any official or employee of the Department, as defined under section 2105 Of Title U.S.C., and members of the NOAA Corps. At this time the transit program does not include contractors.”
- b. “Mass Transportation” means transportation systems available to the general public such as subways, trains, buses, ferries, or commuter rail systems. It includes commuter highway vehicles (e.g., van pools) if the seating capacity is at least six adults, not including the driver, with 80 percent of the mileage being used for transporting employees between their residences and places of employment.”
- c. “Fare subsidy” means providing “fare media” to employees at no cost to them.

- d. “Fare media” means a smart trip card, debit card entitling riders to commute using a mass transportation mode or a voucher which may be exchanged only for a ticket, pass, or farecard. It does not include cash payments.

SECTION 5. POLICY

- a. The Department of Commerce, National Oceanic and Atmospheric Administration supports and encourages the use of mass transportation by its employees in commuting to and from work only.
- b. An employee may not receive the transportation fare benefit simultaneously with another form of transportation benefit, such as subsidized parking.
- c. Vouchers are to be used only for the commute to and from work. Giving or selling fare cards to other individuals is prohibited, even if the other individuals are eligible to receive fare media cards. Smart Trip Card is to be used only for Metro bus and Metro Rail is in the Metropolitan area only that this card is used. The Debit Card is nationwide and in the Metropolitan area they are not to be used to purchase Metro Bus or Metro Rail rides.
- d. There is no more Transportation Subsidy Program distribution. However some areas in the field may still be using vouchers but that will only continue until they receive Debit Cards.
- e. The form SF-1164 for reimbursement is used in field offices where the fare media card are not accepted to pay for mass transit commuting to and from work. Finance Offices responsible for these field offices should not honor SF-1164's form from an employee if the area accepts fare media cards.
- f. The Smart Benefits application is used in the Metropolitan area for commuters that use Metro Bus, Metro Rail only. Once Smart Trip Card is purchased you should go on-line to WMATA to register than complete the Smart Benefits application and submit to your Point of Contact. Once you receive an Debit Card you should register with JPMorgan. If you use MARC/VRE, etc you should go on-line to the mode you use and put in card number to be charged for service. In the metropolitan are if recipient uses more than one mode to commute and need both smart trip card and debit card they will need to allocate the funds to each mode.
- g. Under the Privacy Act Statement the information that is solicited for the application is found under the authority of 5 U.S.C. Sections 301 and 7905. Furnishing the information on this form is voluntary, but failure to do so may result in disapproval of your request for a public transit fare benefit. The purpose of this information is to facilitate timely processing of your request, to ensure your eligibility, and to prevent misuse of the funds involved. This information will be provided to the Department of Transportation for processing

benefits. The information will be matched with lists at other Federal agencies to ensure that you are not listed as a carpool or vanpool participant or a holder of any other form of vehicle work site parking permit with the Department of Commerce/NOAA or any other Federal or County agency. The certification of the application concerns a matter within the jurisdiction of an agency of the United States and making a false, fictitious, or fraudulent certification may render the maker subject to criminal prosecution under Title 18, United States Code, Section 1001, civil penalty action providing for administrative recoveries of up to \$5000 per violation, and/or agency disciplinary actions up to and including dismissal.

SECTION 6. RESPONSIBILITIES

The Office Chief Administrative Officer, Logistic Division is responsible for the following:

- a. Providing oversight of the transportation subsidy benefit program.
- b. Generating and furnishing reports required by internal and external organizations.
- c. Developing and implementing procedures to assure that funds, and other program assets are properly accounted for and safeguarded against fraud, waste, and abuse.
- e. Providing oversight to the tracking of the number of fare media benefits issued to employees and the funds expended in the program.
- f. Ensuring that program participation is limited to eligible NOAA civil service employees and the NOAA Corps.

SECTION 6A. RESPONSIBILITIES FOR TRANSIT POINT OF CONTACT (TPOC)

The Line/Staff Offices are responsible for appointing an initial TPOC for their area. They may also appoint as many POC's within their Line/Staff Offices but there should only be one that would be the Lead POC for a particular Line/Staff Office.

- a. Provides oversight of the transportation benefit program by notifying the NOAA Manager for Transportation Subsidy Benefit Program (TSBP) when their employees retire, transfer and/or leave agency.
- b. Provide guidance and assistance to clients with Transit questions pertaining to the operations and procedures of the program.
- b. Edit Transit Benefit Detail Reports for their Line/Staff Office and return when completed to the NOAA Transportation Manager for the TSBP when corrections are needed.

- c. Providing oversight for safeguarding against fraud, waste, and abuse.
- d. Ensuring that program participation is limited to eligible NOAA civil service employees and the NOAA Corps.
- g. Ensuring that forms are complete (NOAA 42-28 and Smart Benefit Application) before submitting to NOAA Transportation Manager.

SECTION 7. LIMITATIONS

- a. Employees who benefit in the use of subsidized parking supplied by NOAA , other federal agencies or other monetary benefits related to commuting are not eligible for subsidies.
- b. The value of a benefit to an individual employee under a program established under the provisions of this Notice may not exceed the lesser of either the employee's total commuting expenses per month or the maximum allowed by law.
- c. Employee may only use transportation fare benefits for their commute to and from work via mass transportation.

SECTION 8. EFFECTIVE DATE

This Notice is effective immediately.